

OFFICE OF THE GOVERNOR

BOB RILEY
GOVERNORSTATE CAPITOL
MONTGOMERY, ALABAMA 36130(334) 242-7100
FAX: (334) 242-0937

STATE OF ALABAMA

March 7, 2007

Dr. Joe L. Reed, Trustee
 Alabama State University
 P.O. Box 4177
 Montgomery, Alabama 36103

Dear Dr. Reed:

On July 27, 1999, you were appointed by Governor Don Siegeman to serve a 12-year term as a member of the Alabama State University Board of Trustees. As you are aware, however, section 16-50-20(a) of the Code of Alabama provides that "no member [of the ASU Board of Trustees] shall serve past September 30 following his seventieth birthday." I understand that you will, in fact, celebrate your seventieth birthday on September 13, 2008. Thus, by operation of law, your term as a member of the ASU Board of Trustees will expire on September 30, 2008, notwithstanding that your original appointment letter recited a term of greater duration.

As you are also aware, there is a provision in section 16-50-20(b) of the Code of Alabama that purports to exempt certain board members from the age restriction set forth in subsection (a) of the statute. This provision provides that "[n]o trustee who is serving on the said board on April 30, 1986, shall lose his or her seat because of this section. . ." Because you were serving as a member of the ASU Board of Trustees on April 30, 1986, this provision arguably applies to you, even though you have not continuously served as a board member since that time. However, if this exemption does apply to you, section 16-50-20(b) also provides that "the Governor may re-designate the period of the term of these members so as to conform to the provisions of subsection (a)."

If and to the extent the exemption provided in section 16-50-20(b) does apply to you, I am hereby exercising my authority pursuant to this same subsection to re-designate the term of your appointment to the ASU Board of Trustees so that it may conform to the age restriction set forth in section 16-50-20(a). Thus, I am re-designating the period of your term so that it will expire on September 30, 2008. By doing so, the term of your appointment will terminate on this date, regardless of whether you are lawfully entitled to the exemption provided in subsection (b).

Sincerely,

Bob Riley
Governor

BR/SR/rdg